MONTANA QUARANTINES

Issued By the

DIVISION OF HORTICULTURE

of the

MONTANA DEPARTMENT OF AGRICULTURE

MISSOULA, MONTANA

Issued 1945

A. H. Kruse,
Commissioner
Helena, Mont.

Geo. L. Knight, Chief,
Division of Horticulture
Missoula, Mont.

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MISSOULIAN

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Montana Quarantines

Section 3631. Whenever the Governor of the State has good reason to believe that any pest, gypsy moth, brown tail moth, Mediterranean fruit fly, potato wart, potato canker, black scab, potato eelworm, pea weevil, alfalfa weevil, alfalfa blight, flax canker, or flax wilt or other fruit or plant disease or insect pest dangerous or inimical to the horticultural or the agricultural industry exists in certain localities in another state, territory or country, or that conditions exist that render domestic horticultural stock or agricultural crops or plants likely to become diseased, he must by proclamation designate such localities and prohibit the importation therefrom of any tubers, plants, nursery stock, fruit or seeds or agricultural crops, plants or seeds likely to introduce or spread infection, contagion or insect pests into the state except under such restrictions as he, after consulting with the State Board of Horticulture, the Commissioner of Agriculture or the State Entomologist may deem proper.

A PROCLAMATION

By the Governor of the State of Montana

QUARANTINE ORDER NO. 2-B

Cancelling and Suspending Quarantine No. 2-A

WHEREAS, the fact has been determined that a dangerously injurious plant disease known as black stem rust (Prucinia graminis) is disseminated and carried by means of various susceptible varities of Berberis and Mahonia, and

WHEREAS, there is danger of the introduction of this disease into the grain fields of Montana by the shipments of these various susceptible varieties and species of Berberis and Mahonia;

NOW, THEREFORE, I, Sam C. Ford, Governor of the State of Montana, under and by virtue of the authority conferred upon me by Section 3631 of the Revised Codes of 1935, do hereby declare and proclaim that a quarantine be and hereby is established against the importation into the State of Montana of Berberis and Mahonia plants, including any plants, cuttings, stocks, scions, buds, fruits, seeds, or parts of plants of any species, variety or hybrid capable of propagation, except from nurseries duly licensed by the Federal Department of Agriculture in accordance with Federal Quarantine No. 38, Revised. No restrictions are placed by these regulations on shipments of Japanese barberry (Berberis thumbergii), and red-leaved Japanese barberry (Berberis thumbergii var stropurpurea), or any rust

resistant varieties of these when properly labeled, marked and otherwise identified in keeping with this quarantine, and in accordance with the provisions of Federal Quarantine No. 38 Revised. Cuttings of Mahonia shipped for decorative purposes and not for propagation are not restricted as to movement when properly labeled.

All shipments and/or individual packages of Berberis and Mahonia must be plainly labeled or stamped as to botanical species and variety and/or other adequate description identifying the plants, or parts of plants as rust-resistant within the meaning, and in compliance with Federal Quarantine No. 38, Revised. Likewise each shipment and/or individual package of Berberis and Mahonia must be plainly marked with the Federal Permit Number where necessary.

All horticultural inspectors are hereby ordered and instructed to intercept, condemn and destroy, or return to shipper at his expense, any movement or shipment of Berberis or Mahonia in violation of and not labeled and marked according to the above regulations and restrictions.

This order shall take effect and be in full force on and after the 29th day of May, 1943.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State to be affixed. DONE at the City of Helena, the Capital, this the twenty-ninth day

(SEAL)

of May, in the year of our Lord one thousand nine hundred and forty-three.

By the Governor:
SAM C. FORD.

SAM W. MITCHELL,
Secretary of State.

A PROCLAMATION

By the Governor of the State of Montana

QUARANTINE NO. 3-A

WHEREAS, the fact has been determined that the dangerous and injurious disease known as the white pine blister rust (Peridermium strobi Kleb) now exists in the western part of the State of Washington and in the province of British Columbia; and

WHEREAS, there is danger that this disease may be introduced into the valuable forests of western white pine (Pinus monticola) in Montana; and

WHEREAS, it has been further determined that the cultivated black currant (Ribes nigrum) and its varieties are the most dangerous alternate host plants of this disease, and that the occurrence of the plant in the State of Montana constitutes a direct menace to the white pine forests:

NOW, THEREFORE, I, J. E. Erickson, Governor of the State of Montana, by virtue of the authority vested in me by Section 3631 of the Revised Codes of Montana of 1935, do hereby proclaim the cultivated black curant (Ribes nigrum) and its varieties to be a public nuisance in the State of Montana. The destruction of these plants in this state is hereby ordered, and it shall be unlawful for any person to possess, propagate, sell or offer for sale these plants in the State of Montana.

In addition, I do hereby declare and proclaim a quarantine prohibiting the shipment or movement of any cultivated black currant plants (Ribes nigrum) and its varieties into or within the State of Montana.

All Horticultural Inspectors are hereby ordered and instructed to intercept, condemn, destroy or return to the shipper any movement or shipment of cultivated black currant into or within the State of Montana, and to condemn and destroy any black currants found growing in the State of Montana. Any violation of these orders will be dealt with according to law.

This order shall take effect and be in force on and after the twenty-ninth day of October, 1926.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State to be affixed. DONE at the City of Helena, the Capital, this the twenty-ninth day

(SEAL)

of October, in the year of our Lord one thousand nine hundred twenty-six.

By the Governor:
J. E. ERICKSON.

C. T. STEWART,
Secretary of State.

A PROCLAMATION

By the Governor of the State of Montana

QUARANTINE ORDER NO. 5-D

WHEREAS, the fact has been determined that a dangerous insect pest, a species of Trypetidae known as the cherry fruit fly (Rhagoletis cingulata) and (Rhagoletis fausta) not now known in the State of Montana, exists and is widely distributed throughout portions of the States of Oregon, Washington and Idaho in all those counties not hereinafter designated as non-infested territory and all fresh fruit of the cherry, and boxes and packages which have contained the fresh fruit of the cherry are liable to be carriers of the said pest;

NOW, THEREFORE, I, Sam C. Ford, Governor of the State of Montana, by virtue of the authority conferred upon me by Section 3631 of the Revised Codes of Montana of 1935, do hereby proclaim and establish a quarantine against the entry into the State of Montana of all fresh cherries; and all cherry packages, crates, lugs,

boxes or other containers in which cherries have been picked, handled or shipped; and from and after the publication of this order it shall be unlawful for any person, firm or corporation to carry, import or transport any fruit of the cherry, or container that has contained the fresh cherries from the above mentioned states into the State of Montana, except as herein provided:

PROVISION 1: NON-INFESTED AREAS:

OREGON: Fresh cherries will be admitted into the State of Montana from the Counties of Baker, Coos, Curry, Douglas, Jackson, Josephine, Lake, Malhuer, Umatilla and Wallowa;

WASHINGTON: From the Counties of Adams, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Lincoln, Okanogan, Pend Oreille, Stevens and Walla Walla;

IDAHO: The entire state, EXCEPT the Counties of Benewah, Kootenai, Latah and Nez Perce;

Designated as non-infested territory, ONLY when accompanied by a certificate signed by the proper inspection official at point of origin only, certifying that said shipment was grown, packed and shipped from a county free from the cherry fruit flies, also specifying the number of packages in shipment. The original certificate to be mailed to the office of the Division of Horticul-

ture at Missoula, Montana, and the first copy to accompany the shipment.

All horticultural inspectors of Montana are ordered and hereby instructed to intercept, condemn and destroy, or return to shipper, at his expense, all shipments of fresh cherries not complying with provisions of this quarantine.

This quarantine annuls Quarantine Order No. 5-C and supplements and shall be in full force and effect on and after this date.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Montana to be affixed. Done at the city of Helena, the Capital, this the sixteenth day of May, in the year of our Lord one thousand nine hundred and forty-five.

(SEAL)

By the Governor:
SAM C. FORD.

SAM W. MITCHELL,
Secretary of State.

A PROCLAMATION

By the Governor of the State of Montana

QUARANTINE ORDER NO. 7-B

WHEREAS, it has been determined that an insect injurious to the black locust plants and black locust products known as Black Locust Borer (Cyllene robiniae) new to and not here-

tofore widely prevalent or distributed in the State of Montana, exists in practically all of the United States east of the eastern boundary of the States of Arizona, Utah, Idaho and Montana, and in the State of Washington and in the Dominion of Canada.

NOW, THEREFORE, I, J. E. Erickson, Governor of the State of Montana, by virtue of the authority conferred upon me by Section 3631 of the Revised Codes of Montana of 1935, do hereby proclaim and establish a quarantine prohibiting the entry into, or transportation through, the State of Montana, of black locust plants or untreated black locust products or any other material likely to contain or transport the borer in any of its life stages from any of the above mentioned infested territory. All inspectors of the Divivsion of Horticulture of the Montana Department of Agriculture are hereby instructed and required to refuse admission into the State of Montana of any black locust plants or untreated black locust products from the above mentioned infested territory, and if any of this material from said infested territory is delivered into Montana in violation of this quarantine order it shall be the duty of the horticultural inspectors to immediately deport all such shipments in their entirety or to destroy same by burning, and all expenses incurred in deporting or destroying such stocks shall be paid by the consignee or owner.

This quarantine shall be in full force and effect on and after this date.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State to be affixed. DONE at the city of Helena, the (SEAL) Capital, this the twenty-fifth day of March, in the year of our Lord one thousand nine hundred and thirty-two.

By the Governor:
J. E. ERICKSON.

W. E. HARMON,
Secretary of State.

A PROCLAMATION

By the Governor of the State of Montana

QUARANTINE ORDER 8-B

WHEREAS, it has been determined that a dangerous and destructivev insect pest of the pea, known as the pea weevil (Bruchus pisorum Linn) occurs and is prevalent over a large portion of America, and

WHEREAS, there is great danger of the introduction of this pest into the pea fields of Montana;

NOW, THEREFORE, I, Frank H. Cooney, Governor of the State of Montana, by virtue of the authority conferred upon me by Section 3631 of the Revised Codes of Montana of 1935, do hereby proclaim and establish a quarantine prohibiting the entry into the State of Montana of

any seed peas, except under the following conditions:

Each shipment must be accompanied by a certificate signed by a duly authorized inspector of the Department of Agriculture of the state of origin stating that to his knowledge the peas in said shipment were grown and packed in a district free from the above mentioned pest, or that same have been fumigated by the use of not less than ten (10) pounds of carbon disulfide per thousand cubic feet in an air tight compartment at a temperature of not less than seventy degrees Fahrenheit.

All horticultural inspectors are hereby required and instructed to refuse admission into the State of Montana any shipment of seed peas unless accompanied by a certificate as above mentioned.

If any seed peas as mentioned above come into the State of Montana in violation of this quarantine it shall be the duty of the horticultural inspectors to immediately deport all such shipments in their entirety or to destroy by burning, and all expenses incurred in deporting or destroying such shipments shall be paid by the consignee or owner.

Provided, that the peas may be admitted for fumigation in this state when accompanied by a certificate signed by the Chief of the Division of Horticulture of Montana giving the name of the shipper, consignee and destination; provided proper fumigation can be done at destination.

This quarantine order shall be in full force and effect on and after this date.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State to be affixed. DONE at the city of Helena, the (SEAL) Capital, this the twentieth day of March, in the year of our Lord one thousand nine hundred and thirty-five.

By the Governor:
FRANK H. COONEY.

SAM W. MITCHELL,
Secretary of State.

A PROCLAMATION

By the Governor of the State of Montana

QUARANTINE ORDER NO. 11-B

Pertaining to the Oriental Fruit Moth in Other States

REVOKED BY QUARANTINE AUG. 24, 1945

Section 1—INFESTED TERRITORY

The fact has been determined by the Commissioner of the Department of Agriculture of the State of Montana, that an insect pest injurious to the fruit industry of the State of Montana, the Oriental Fruit Moth, (Grapholitha (Laspeyresia) molesta), not known to occur in the State

of Montana, exists in and is widespread in the states of

Alabama
Arkansas
Connecticut
Delaware
District of Columbia
Florida
Georgia
Idaho
Illinois
Indiana
Iowa
Kansas
Kentucky
Louisiana
Maryland
Massachusetts
Michigan
Mississippi
Missouri
Nebraska
New Hampshire
New Jersey
New York
North Carolina
Ohio
Oklahoma
Pennsylvania
Rhode Island
South Carolina
Texas
Virginia
Tennessee
West Virginia

REVOKED BY QUARANTINE AUG. 1945

and in the State of California, the entire counties of: Fresno, Imperial, Kern, Kings, Los Angeles, Orange, Riverside, San Bernardino, San Diego, Santa Barbara, Stanislaus, Sutter, Tulare, and Ventura;

in the State of Colorado, the entire counties of Denver, Mesa, Otera and Prowers;

in the State of Utah, the entire county of Weber; and in Canada the Province of Ontario.

Section 2—RESTRICTED ARTICLES

All varieties and species, including the horticultural varieties and flowering forms of almond, apple, apricot, cherry, chokecherry, hawthorn, loquat, nectarene, peach, pear, plum, quince, Prunus caroliniana, Prunus ilicifolia, Prunus ilicifolia variety integrifolia, Prunus laurecerasus, Cotoneaster parneyi, Cotoneaster pannosa, Photinia ar-

butufolia, and Photinia serruslata, trees, plants, or parts thereof, including the fresh fruits, and all boxes, barrels, baskets or other containers that have been used to contain these fruits originating in the herein described infested area, are hereby declared hosts or possible carriers of the pest herein quarantined against, and none of the restricted articles herein quarantined against shall be permitted entry into the State of Montana, except under and subject to the following provisions:

Section 3—ESTABLISHED QUARANTINE

NOW, THEREFORE, I, Sam C. Ford, Governor of the State of Montana, under the authority conferred by Section 3631 of the Revised Codes of 1935, consider it necessary in order to prevent the introduction of the Oriental Fruit Moth (Grapholitha (Laspeyresia) molesta) into the State of Montana, do hereby establish a quarantine at the boundaries of the State of Montana against all restricted articles from and after the effective date of this Order, it shall be unlawful for any person, firm or corporation to carry or transport any of the restricted articles into the State of Montana from said infested area, except as hereinafter provided.

Section 4—DEFINITIONS

Pest: Oriental Fruit Moth (Grapholitha molesta).

Section 5—CONDITION GOVERNING THE ISSUANCE OF PERMITS

(a) Except as provided in Section 7 hereof, each lot or shipment of restricted articles shipped

from the herein-described infested area to points in this state must be accompanied by a certificate issued by a duly authorized official of the state in which the shipping point is situated, affirming (a) all restricted articles in said lot or shipment originated outside of the herein described infested area as provided in Section 8 hereof, or (b) all such articles have been treated under official supervision as provided in paragraph (b) of this section.

(b) Certificates affirming treatment shall not be issued unless the treatment facilities used are of an approved type and the artcles to be shipped thereunder were treated by a treatment herein approved or subsequently approved by the Commissioner of Agriculture. Such certificates shall set forth the dosage schedule used or other full particulars of the treatment herein authorized, the names and addresses of the shipper and consignee, the amount and kind of the articles covered by such certificate, the manner of shipment and the state or territory where the articles were grown or used if not originating in the state from which shipped. (In lieu of the statement of treatment particulars and dosage schedule used, the inspection official of the state of origin may substitute the statement that the shipment has been "treated and handled in accordance with the Oriental fruit moth quarantine requirements of the state of destination.")

Section 6—APPROVED TREATMENT

(a) **Fresh Fruits.** Fresh fruits of plants herein restricted shall be treated only during the pe

riod May 1 to October 31, in an approved-type gas-tight chamber at atmosphere pressure for a period of two hours using methyl bromide at the rate of 1 1-2 bls. at temperatures of not less than 70 degrees F., or 2 lbs. at temperature of not less than 65 degrees F., or 2 1-2 lbs. at temperature of not less than 60 degrees F., per thousand cubic feet of chamber space. The schedule to be used must be determined by both pulp temperature of fruit and interior temperature of chamber, whichever is lower. (Fumigation of fruit from cold storage is inadvisable due to probable injury resulting from raising of temperature to maintain minimum allowed).

Fresh fruits treated during the above period and subsequently placed in cold storage may be certified for movement after October 31, provided continued identity and protection from post-treatment infestation is maintained.

(b) Nursery stock, cuttings and scions.

Nursery stock (trees), cuttings, and scions shall be treated in an approved gas-tight chamber at atmospheric pressure for a period of 4 hours using methyl bromide at rate of 2 lbs. at temperature of not less than 70 degrees F., or 3 lbs. at temperature of not less than 60 degrees F., per thousand cubic feet of chamber space. Trees must be packed loosely in the chamber and schedule to be used determined by both temperature of trees and interior of chamber, whichever is lower. Nursery stock, cuttings and scions treated and subsequently placed in storage may be certified for shipment only provided continued identity and

protection from post-treatment infestation is maintained. No packing material shall be used with shipments of such nursery stock, cuttings or scions which in itself might carry Oriental Fruit Moth.

(NOTE: Dosage schedule set forth in (b) should not be used on host plants not fully dormant since injury might be caused.)

(c) Used Containers.

Used containers may be treated during the entire year either by fumigation with dosage schedules as provided for nursery stock (sec. (6) above) or by sterilizing with live steam at 170 degrees F. for a period of not less than 4 minutes, or during the period May 1 to October 31, such containers may be fumigated using the dosage schedules approved for fresh fruits (see (a) above).

(NOTE: Dosage schedules set forth in (b) above and live steam should only be used when containers are empty since both treatments might injure other products).

All restricted articles subjected to any of the treatments herein approved must be protected from post-treatment infestation and continued identity maintained between the time of treatment and shipment.

Section 7—BUDWOOD AND SCION WOOD

Budwod or scions of the plants herein restricted may be admitted in limited quantities under permit from the Commissioner of Agriculture and subject to the provisions thereof or treated and certified in accordance with Section 5 (b) hereof.

Persons desiring to import such budwood or scions should make written application to the Commissioner of Agriculture for a permit so to do, stating in said application the amount, kind, name and address of shipper, and name and address of person to whom permit should be sent, together with the name of the state or territory of origin of such budwood or scions.

Section 8—MOVEMENT OF RESTRICTED ARTICLES THROUGH INFESTED AREA TO STATE

No restrictions are placed by this quarantine on the intransit movement on through bill of lading of restricted articles from a point outside of the herein described infested area through the infested area to any point in this state.

Fresh fruits in original lidded containers and other restricted articles originating outside of the herein described infested area may be reshipped from any point within the infested area to points within this state, only provided continued identity and protection from infestation have been maintained while such articles have been within the infested area, and provided each lot or shipment is officially certified from point of shipment, affirming such facts and setting forth the state or territory of origin, point of reshipment, manner of shipment, amount and kinds of articles comprising the lot or shipment and the names and addresses of the shipper and consignee.

Section 9—DISPOSITION OF VIOLATIONS

(a) Any trees, plants or parts thereof, or fresh

fruits thereof, of the above varieties named in Section 2 hereof, and/or containers thereof, arriving in Montana from said infested territory in violation of this Order will be immediately sent out of the state or destroyed at the option and expense of the owner or owners, his or their responsible agent or agents.

(b) Section 3633 of the Revised Codes of Montana of 1935, makes the violation of this quarantine a misdemeanor punishable by a fine or not less than $25.00 nor more than $300.00.

Section 10—REPEAL

Quarantine Order No. 11-A, issued March 17, 1943, is hereby repealed.

Section 11—DATE EFFECTIVE

This Order will become effective January 1, 1945.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State to be affixed. DONE at the city of Helena, the (SEAL) Capital, this the fourteenth day of December, in the Year of our Lord one thousand nine hundred and forty-four.

(Signed) SAM C. FORD,
Governor.

SAM W. MITCHELL,
Secretary of State.